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Attorney for Plaintiff

1ST CIRCUIT COURT  
STATE OF HAWAII  
FILED

2005 AUG 16 PM 3: 16

N. ANAYA  
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

STATE OF HAWAII, by its Office of )  
Consumer Protection, )

Plaintiff, )

Vs. )

Defendants. )

PACIFIC EDUCATIONAL SERVICES )  
COMPANY, a Nevada corporation dba )  
Hawaii College of Pharmacy; DENISE )  
A. CRISWELL aka Deedee Criswell )  
aka DeDe Criswell aka Denise )  
Criswell Nakajima and DAVID )  
CHAMPION MONROE fka David )  
Yacas, )

CIVIL NO. 05-1-1356-07 SSM  
(Other Civil Action)

AMENDED ORDER MODIFYING  
PRELIMINARY INJUNCTION; EXHIBIT 1

HEARING

Date: August 11, 2005

Time: 9:00 a.m.

Judge: Sabrina S. McKenna

Trial Date: None

SCF Date: None

AMENDED ORDER MODIFYING PRELIMINARY INJUNCTION

WHEREAS on August 3, 2005 the Plaintiff filed a Motion for  
Preliminary Injunction seeking, among other things, to freeze the assets of the  
Defendants;

WHEREAS, the matter came on for hearing before the Honorable

I do hereby certify that this is a full, true, and  
correct copy of the original on file in this office.

N. Anaya  
Clerk, Circuit Court, First Circuit

WHEREAS Plaintiff was represented by Jeffrey E. Brunton and Defendants were represented by Kelvin H. Kaneshiro;

WHEREAS the court having reviewed the materials in support of and in opposition to the motion and the court having heard oral arguments of counsel; and good cause appearing granted the motion;

WHEREAS a Preliminary Injunction was entered by the Court on August 10, 2005;

WHEREAS some of the employees and staff of the Defendant Pacific Educational Services Company petitioned the court to permit payment of accrued salaries and other employment benefits;

WHEREAS the court reserved the matter of consideration of the employees and staff petition for further hearing on August 11, 2005 at 9:00 o'clock a.m.;

WHEREAS, the matter came on for further hearing before the Honorable Sabrina S. McKenna on August 11, 2005 at 9:00 o'clock a.m.;

WHEREAS Plaintiff was represented by Jeffrey E. Brunton and Defendants were represented by Kelvin H. Kaneshiro;

WHEREAS the court having heard oral arguments of counsel; and good cause appearing;

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Preliminary Injunction entered on August 10, 2005 be and shall remain in full force and effect, subject only to the modification herein:

1. The Court hereby lifts the asset freeze currently in effect to permit the payment of salaries and paid time off to all employees as listed in the column titled

“Currently Owed Including PTO” on Exhibit 1 hereto, excluding Hamman Hasan.

2. The Court hereby lifts the asset freeze currently in effect to permit the payment of the Health Benefits listed on Exhibit 1.

3. The Court hereby lifts the asset freeze currently in effect to permit the reissuance and payment of a check in the amount of \$3,943.09 payable to Forrest Batz.

**IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED** that:

1. The Court reserves the petitioners’ request to lift the asset freeze to permit payment of employee reimbursement expenses.

2. Employees Heather Barrie, Corrigan M. Taylor and Scott Banks be permitted to continue employment with pay in order to assist students and process transcripts only for those students requesting such and to otherwise carry out the terms of this order up to and including August 25, 2005.

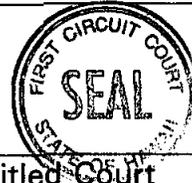
3. The Defendants, upon written request from employees, issue letters of termination of employment to any employee so requesting.

4. Scott Banks is directed to return all student seat deposit monies to the students who paid them for the 2005-2006 term.

5. The matter be continued for further hearing on August 25, 2005 at 1:30 p.m.

DATED: Honolulu, Hawaii, AUG 16 2005

SABRINA S. MCKENNA



Judge of the above-entitled Court

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Kelvin H. Kaneshiro", is written over a horizontal line.

KELVIN H. KANESHIRO  
Attorney for Defendants

Civil No. 05-1-1356-07 SSM; State v Pacific Educational Services, Company et al;  
AMENDED ORDER MODIFYING PRELIMINARY INJUNCTION

Pacific Educational Services  
Payroll Schedule

Employee	Start Date	Title	Annual Salary	Each Payroll	Currently Owed Including PTO
Antisianas, Demetra	6/1/2005	Associate Dean	\$130,000.00	\$5,000.00	\$9,080.00
Bair, Brandy	9/27/2004	Special Projects Coordinator	\$38,000.00	\$1,461.54	\$4,647.70
Banks, Scott	1/5/2005	CFO & VP Finance	\$100,000.00	\$3,846.15	\$9,759.59
Barnes, Andrew	5/13/2005	Director of Information Technology	\$65,000.00	\$2,500.00	\$5,060.00
Barrie, Heather	12/8/2004	Grades Coordinator and Lead Teacher Assistant	\$40,000.00	\$1,538.46	\$3,175.38
Gonzalez, Yudelka	6/13/2005	Business / Project Administrative Assistant	\$33,500.00	\$1,288.46	
Gosnell, William	7/5/2005	Assistant Professor	\$60,000.00	\$2,307.69	\$3,710.77
Hasan, Hammam	9/1/2004	Senior Vice President of Academics & Dean	\$200,000.00	\$7,692.31	\$28,384.62
Huang, Hung-Chung	7/1/2005	Assistant Professor	\$60,000.00	\$2,307.69	\$3,230.77
Ichimasa, Shalyn	9/27/2004	Teacher Assistant	\$35,360.00	\$1,360.00	\$4,052.80
Kamibayashi, Craig	6/1/2005	Assistant Professor	\$60,000.00	\$2,307.69	\$4,190.76
Kato, Tammara	5/23/2005	Executive Assistant to the Senior Vice President of Academics & Dean	\$33,500.00	\$1,288.46	\$2,339.84
Knehans, Amy	12/1/2005	Librarian	\$45,000.00	\$1,730.77	\$3,399.23
Macalipis, Augustine	8/1/2004	Technical Service Engineer	\$50,000.00	\$1,923.08	\$7,500.00
Muranaka, Cindy	9/27/2004	Teacher Assistant	\$31,574.00		\$2,519.88
Phan, Susie	6/1/2005	Law	\$130,000.00	\$5,000.00	\$9,080.00
Pippalla, Rao	7/1/2005	Professor & Director of Research and Development	\$90,000.00	\$3,461.54	\$5,566.16
Taylor, Corrigan	4/4/2005	Business Coordinator	\$40,000.00	\$1,538.46	\$3,138.46
Thornton, Joy	8/1/2004	Senior Administrative Assistant to the Assistant Dean of Student Services and Admissions	\$35,000.00	\$1,346.15	\$3,499.99
Tom, Paul	7/5/2005	Assistant Professor	\$75,000.00	\$2,884.62	\$4,638.47
Vu, Diep	7/1/2005	Assistant Dean of Student Services and Admissions	\$107,200.00	\$4,123.08	\$6,629.91
Wong, Ken	6/13/2005	Assistant Professor	\$70,000.00	\$2,692.31	\$4,889.24
Nixon, Andrew		Organizational Strategist	\$40,000.00	\$1,538.46	\$2,153.84
<b>Total</b>			<b>\$1,569,134.00</b>	<b>\$59,136.92</b>	<b>\$130,647.41</b>

Pacific Educational Services  
Health Benefit Schedule

Employee	HMSA Amount	
	August	September
Bair, Brandy	\$331.40	\$331.40
Banks, Scott	\$645.80	\$645.80
Barnes, Andrew	\$331.40	\$331.40
Barrie, Heather	\$331.40	\$331.40
Hasan, Hammam	\$331.40	\$331.40
Kato, Tammara	\$331.40	\$331.40
Knehans, Amy	\$331.40	\$331.40
Macalipis, Agustine	\$331.40	\$331.40
Phan, Susie	\$331.40	\$331.40
Pippalla, Rao	\$331.40	\$331.40
Taylor, Corrigan	\$331.40	\$331.40
Thornton, Joy	\$331.40	\$331.40
Vu, Diep	\$960.20	\$960.20
Wong, Ken	\$331.40	\$331.40
Monroe, David	\$331.40	\$331.40
Criswell, Denise	\$331.40	\$331.40
Nixon, Andrew	\$331.40	\$331.40
Monthly Total	\$6,577.00	\$6,577.00
<b>TOTAL</b>	<b>\$13,154.00</b>	